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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,743	09/11/2003	Mehrdad Hamidi	14443	3462

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EXAMINER

CHAPMAN, JEANETTE E

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,743

Applicant(s)

HAMIDI ET AL.

Examiner

Chapman E Jeanette

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/9/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by
(4974378)
Shustov. Shustov discloses a foundation system for a building or other load comprising:

1. a lower part 4 having a concave surface at the top thereof;
2. an upper sliding raft 1 having a convex surface at the bottom thereof and rest on the concave surface of the lower part and allow for sliding rotational movement therebetween ; wherein, the building 2 is attached to the upper sliding raft;
3. the concave surface of the lower part is **generally** cylindrical;
4. the lower part and the upper sliding raft each have an interface made of very low friction material

Claims 1-3 and 6-10 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ishikawa et al (6164022). Ishikawa et al discloses a foundation system for a building or other load comprising:

5. a lower part 1 having a concave surface at the top thereof;
6. an upper sliding raft 10/24 having a convex surface at the bottom thereof and rest on the concave surface of the lower part and allow for sliding

rotational movement therebetween ; wherein, the building 301 in figures 15A-B is attached to the upper sliding raft;

7. the concave surface of the lower part is **generally** cylindrical;
8. the upper sliding raft includes a platform 25 resting on a plurality of short rigid strands 24/10; the strands collectively have the convex configuration corresponding to the concave surface of the lower part;
9. the upper sliding raft includes a solid sector of a cylinder 10 that matches the concave surface of the lower fixed foundation;
10. the prior art includes the same limitations as that of the applicant system and thus also the concave surface has a center of curvature and the building has a center of gravity ; the center of curvature is above the center of gravity of the building; one of ordinary skill in the art would desire this relationship in on for the foundational system to function as intended; see column 5, lines 15-25 and column 1 lines 1-5, column 6, lines 37-65;
11. the concave surface has a predetermined center of curvature O and the building obviously has a height; the curved track has a center of curvature positioned vertically and upwardly and has a radius of curvature; it would have been obvious for the three to have the recited relationship in order for the system to function as intended; see above point 10 and column 5.

Claims 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Yano (5689919). Yano discloses a foundation system for a building or other load comprising:

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12. a lower part having a concave surface at the top thereof;

13. an upper sliding raft having a convex surface at the bottom thereof and rest on the concave surface of the lower part and allow for sliding rotational movement therebetween ; wherein, the building 2 is attached to the upper sliding raft; see figure 1

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al (5261200). Sasaki et al discloses a rolling foundation support and discloses that the materials of construction may include very low friction material interfaces is steel-teflon and Teflon-teflon. See column 1 lines 30-39. It would have been obvious to construct the foundation system of Shustov using the Teflon-steel materials known in the art and disclosed by Sasaki et al in order that the material interfaces has constant static and dynamic characteristics.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E Jeanette whose telephone number is 703-308-1310. The examiner can normally be reached on Mon.-Fri, 8:30-6:00, every other fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Friedman Carl can be reached on 703-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jec


Jeanette Chapman
Primary Examiner